

Appl. No. 10/719,793
Any. Docket No. 9434
Amdt. dated 17 July 2006
Reply to Office Action of April 18, 2006
Customer No. 27752

RECEIVED
CENTRAL FAX CENTER
JUL 17 2006

REMARKS

Claim Status

Claims 1-6 and 8-12 are pending in the present application. No additional claims fee is believed to be due.

Claim 7 has been canceled without prejudice.

Claim 1 has been amended to add the words "wherein said raised portions are unevenly spaced." Support for the amendment is found at page 7, lines 10 and 11 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §102(b) Over Schoelling (U.S. 2002/0151859)

Claims 1, 2 and 5-12 have been rejected under 35 U.S.C. §102(b) as being anticipated by Schoelling (U.S. 2002/0151859).

With respect to claims 1, 2, 5, 6 and 8-12 and novelty: Applicant respectfully traverses the rejection as Schoelling does not disclose or teach a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a center region, a longitudinal axis, and an outer surface, said tampon being comprised of compressed fibrous material, wherein said outer surface of said tampon comprises a plurality of raised portions, each of said raised portions comprising a length dimension and a width dimension wherein said, width dimension varies as measured along said length dimension, and wherein said raised portions are unevenly spaced.

In contrast Schoelling states, "The longitudinal ribs 40 extend radially outward at equal circumferential angle intervals from this solid fiber core 38." (Par. 0037) Therefore, Schoelling teaches that its longitudinal ribs are evenly spaced, not unevenly spaced as in the present invention.

Accordingly, Applicant respectfully submits that claims 1, 2, 5, 6 and 8-12 are novel over Schoelling.

Appl. No. 10/719,793
Atty. Docket No. 9434
Amdt. dated 17 July 2006
Reply to Office Action of April 18, 2006
Customer No. 27752

Rejection Under 35 USC §103(a) Over Schoelling (U.S. 2002/0151859)

Claims 3, 4 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Schoelling (U.S. 2002/0151859).

With respect to claims 3, 4 and 6 and obviousness: Applicant respectfully traverses the rejection as Schoelling does not disclose or suggest a tampon for feminine hygiene comprising an insertion end, a withdrawal end, a center region, a longitudinal axis, and an outer surface, said tampon being comprised of compressed fibrous material, wherein said outer surface of said tampon comprises a plurality of raised portions, each of said raised portions comprising a length dimension and a width dimension wherein said, width dimension varies as measured along said length dimension, and wherein said raised portions are unevenly spaced.

In contrast Schoelling states, "The longitudinal ribs 40 extend radially outward at equal circumferential angle intervals from this solid fiber core 38." (Par. 0037) Therefore, Schoelling discloses that its longitudinal ribs are evenly spaced, not unevenly spaced as in the present invention. Further, there is no suggestion or motivation to modify the ribs of Schoelling as the disclosed machine used to produce tampons only creates tampons that have an even number of ribs, as stated in Schoelling, "According to FIGS. 7 and 8, a preferred press 64 consists of eight identical press jaws 66 which are arranged in a star formation in a common plane at equal angle intervals about and at the same radial distance from the press axis x."

Accordingly, Applicant submits that claims 3, 4 and 6 are non-obvious in view of Schoelling.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 U.S.C. §102(b) and §103(a). Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied reference. In view of

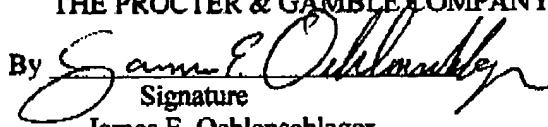
Appl. No. 10/719,793
Atty. Docket No. 9434
Amdt. dated 17 July 2006
Reply to Office Action of April 18, 2006
Customer No. 27752

the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-6 and 8-12 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Signature

James E. Oehlenschlager

Typed or Printed Name

Registration No. 50,164

(513) 634-3447

Date: 17 July 2006
Customer No. 27752